

Message Text

PAGE 01 NATO 05193 01 OF 02 241911Z

73

ACTION EUR-25

INFO OCT-01 IO-14 ACDA-19 ISO-00 CIAE-00 PM-07 H-03 INR-11

L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 TRSE-00 SAJ-01 CU-05 SAM-01 OIC-04 DRC-01

/146 W

----- 000484

R 241805Z SEP 74

FM USMISSION NATO

TO SECSTATE WASHDC 7747

SECDEF WASHDC

INFO USDEL SALT TWO GENEVA

USDEL MBFR VIENNA

USMISSION GENEVA

USNMR SHAPE

USCINCEUR

USLOSACLANT

USDOCOSOUTH

CINCLANT

C O N F I D E N T I A L SECTION 1 OF 2 USNATO 5193

E.O. 11652: GDS

TAGS: PFOR, PARM

SUBJ: CSCE: CONFIDENCE BUILDING MEASURES--EXCHANGE OF OBSERVERS
TO MILITARY MAEUVERS

GENEVA FOR CSCE DEL

REF: (A) USNATO 4827 NOTAL, (B) USNATO 4931 NOTAL

1. AT SEPT 24 POLADS, FRG REP CIRCULATED "SPEAKING NOTES"
WHICH HE DESCRIBED AS FRG WORKING LEVEL SUGGESTIONS ON MODALI-
TIES FOR AN EXCHNGE OF MILITARY OBSERVERS CBM. FRG REP PROPOSED
THAT POLAD REPS SUBMIT GERMAN SUGGESTIONS TO THEIR CAPITALS
FOR COMMENTS. COMMITTEE AGREED TO EXCHANGE VIEWS ON THE GERMAN
SUGGESTIONS AT ITS OCTOBER 8 MEETING. ACTION REQUESTED:
CONFIDENTIAL

PAGE 02 NATO 05193 01 OF 02 241911Z

WASHINGTON COMMENTS, BY OCTOBER 5, ON GERMAN SUGGESTIONS
AS WELL AS ANY OTHER POINTS U.S. REP SHOULD RAISE ON EXCHANGE
OF OBSERVERS CBM.

2. FOLLOWING TEXT OF GERMAN SUGGESTIONS.

1. WE CONSIDER THAT THE FOLLOWING QUESTIONS REQUIRE CLARIFICATION:

- A. TYPE OF MANOEUVERS
- B. RIGHT TO INVITE
- C. ADDRESSEES OF THE INVITATION
- D. FORM OF THE INVITATION
- E. NUMBER AND QUALIFICATION OF OBSERVERS
- F. RIGHTS OF OBSERVERS

2. A TYPE OF MANOEUVER

IT IS IN LINE WITH THE AIMS OF CONFIDENCE-BUILDING MEASURES TO INCLUDE NATIONAL AND MULTINATIONAL MANOEUVERS IN THE EXCHANGE OF OBSERVERS. (ALSO THOSE NATIONAL MANOEUVERS WHICH TAKE PLACE ON FOREIGN TERRITORY. MULTINATIONAL MANOEUVERS CAN TAKE PLACE ON THE TERRITORY OF ONE OR SEVERAL PARTICIPATING STATES.)

3. THE SIZE OF MANOEUVERS WHICH ARE SUITABLE FOR THE EXCHANGE OF OBSERVERS COULD BE ORIENTATED ON THE SIZE AGREED UPON FOR ADVANCE NOTIFICATION.

4. B. RIGHT TO INVITE

IN THE CASE OF NATIONAL MANOEUVERS ON NATIONAL TERRITORY THE STATE HOLDING THE MANOEUVRE WILL INVITE.

5. IN THE CASE OF NATIONAL (OR MULTINATIONAL) MANOEUVERS ON FOREIGN TERRITORY IT HAS TO BE TAKEN INTO CONSIDERATION THAT THE ACTIVITY OF OBSERVERS INTERFERES WITH THE SOVERIGNTY OF THE STATE ON WHOSE TERRITORY THE MANOEUVRE TAKES PLACE. A CONSENT OF THIS STATE WOULD THEREFORE BE REQUIRED.

THE FOLLOWING INVITATION-PROCEDURES WOULD BE POSSIBLE:
THE STATE ON WHOSE TERRITORY THE MANOEUVRE TAKES PLACE AND THE STATE HOLDING THE MANOEUVRE COULD TOGETHER ISSUE THE INVITATION OR THE STATE ON WHOSE TERRITORY THE MANOEUVRE CONFIDENTIAL

PAGE 03 NATO 05193 01 OF 02 241911Z

TAKES PLACE COULD GIVE HIS APPROVAL TO THE STATE HOLDING THE MANOEUVRE BEFORE THE LATTER ISSUES THE INVITATION AND THIS APPROVAL COULD BE MENTIONED IN THE INVITATION. A THIRD POSSIBILITY WOULD BE THE ISSUANCE OF THE INVITATION BY THE STATE ON WHOSE TERRITORY THE MANOEUVRE TAKES PLACE, OF COURSE AFTER COORDINATION WITH THE STATE HOLDING THE MANOEUVRE.

6. C. ADDRESSEES OF THE INVITATION

ACCORDING TO THE GENEVA-TEXT (SEE ANNEX) IT IS LEFT TO THE INVITING STATE TO DECIDE WHO SHOULD BE INVITED. THIS DISCRETION IS, HOWEVER, LIMITED IN SO FAR AS INVITATIONS SHOULD BE ISSUED "IN A SPIRIT OF RECIPROCITY AND GOOD WILL

TOWARD ALL PARTICIPATING STATES".

7. D. FORM OF INVITATION

ACCORDING TO THE GENEVA-TEXT INVITATIONS ARE ISSUED ON A BILATERAL BASIS.

8. THE GENEVA-TEXT PROVIDES FOR THE SENDING OF THE INVITATIONS THROUGH DIPLOMATIC CHANNELS. IT APPEARS APPROPRIATE TO SEND THE INVITATIONS THROUGH THE EMBASSIES OF THE STATES TO BE INVITED.

9. IN THE CASE OF MULTINATIONAL MANOEUVRES THERE MIGHT BE A GREAT NUMBER OF PARALLEL AND CROSSING INVITATIONS. IN THIS CASE ONE COULD TRY TO DEVELOP A PROCEDURE FOR SENDING THE INVITATIONS "IN BUNDLES" AT LEAST ON THE WESTERN SIDE.

CONFIDENTIAL

PAGE 01 NATO 05193 02 OF 02 242034Z

73

ACTION EUR-25

INFO OCT-01 IO-14 ACDA-19 ISO-00 CIAE-00 PM-07 H-03 INR-11

L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 TRSE-00 SAJ-01 CU-05 SAM-01 OIC-04 DRC-01

/146 W

----- 001477

R 241805Z SEP 74

FM USMISSION NATO

TO SECSTATE WASHDC 7748

SECDEF WASHDC

INFO USDEL SALT TWO GENEVA

USDEL MBFR VIENNA

USMISSION GENEVA

USNMR SHAPE

USCINCEUR

USLOSACLANT

USDOCOSOUTH

CINCLANT

C O N F I D E N T I A L SECTION 2 OF 2 USNATO 5193

10. E. NUMBER AND QUALIFICATION OF OBSERVERS

IN PRACTICE IT WILL NOT BE POSSIBLE TO LIMITE THE NUMBER OF OBSERVERS TO BE SENT BY EACH INVITED STATE TO ONE, ALTHOUGH THIS WOULD BE THE OBVIOUS THING TO DO IN VIEW OF THE HIGH NUMBER OF CSCE PARTICIPANTS. IT WOULD BE USEFUL, HOWEVER, IF THE ALLIES COULD AGREE TO A LIMITED NUMBER.

1. THERE SHOULD BE THE POSSIBILITY OF REJECTING AN OBSERVER.

FOR THIS PURPOSE A CLAUSE COULD BE INCLUDED IN THE INVITATIONS, SAYING THAT THE NAMES OF THE OBSERVERS HAVE TO BE NOTIFIED FOR APPROVAL TO THE INVITING STATE. AS FAR AS MILITARY PERSONNEL IS CONCERNED, THIS IS IN LINE WITH THE ARRANGEMENTS IN ARTICLE 7, 2ND SENTENCE OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS.

CONFIDENTIAL

PAGE 02 NATO 05193 02 OF 02 242034Z

12. F. RIGHTS OF OBSERVERS

IT SHOULD BE SEEN TO IT THAT A SET OF MINIMUM PRIVILEGES WILL EMERGE. THESE MINIMUM PRIVILEGES COULD COMPRISE:

- FREEDOM IN THE CHOICE OF THE MEANS OF LAND TRANSPORT INTO AND WITHIN THE MANOEUVRE AREA (OWN MOTOR VEHICLE OR MOTOR VEHICLE MADE AVAILABLE);
- RELATIVE FREEDOM OF MOVEMENT IN THE MANOEUVRE AREA (HOWEVER, INSPECTION OF MILITARY INSTALLATIONS OR EQUIPMENT ONLY ON SPECIAL INVITATION AND ACCOMPANIED BY AN ESCORT);
- AUTHORITY TO CARRY OWN PHOTOGRAPHIC AND OPTICAL EQUIPMENT;
- POSSIBILITY OF COMMUNICATION WITH OWN EMBASSY;
- EXEMPTION FROM ARREST, CONFINEMENT OR SEARCH, AND FROM CONFISCATION OF EFFECTS IN THEIR POSSESSION DURING THEIR STAY IN THE HOST COUNTRY FOR THE SPECIAL PURPOSE.

13. THE RIGHT TO COMMUNICATE BY WAY OF A COURIER OR RADIO DOES NOT APPEAR NECESSARY.

14. THE "RESOLUTIONS" OF THE CSCE INCLUDING THOSE ON CONFIDENCE-BUILDING MEASURES, SHOULD STAY BELOW THE THRESHOLD OF INTERNATIONAL LAW AND LEAD ONLY TO POLITICAL/MORAL OBLIGATIONS. A FORMAL AGREEMENT ON THE LEGAL STATUS OF OBSERVERS COULD BE INCOMPATIBLE WITH THIS AIM. HOWEVER, IT WOULD APPEAR NECESSARY TO GRANT CERTAIN PRIVILEGES TO THE OBSERVERS IN ORDER THAT THE EXCHANGE OF OBSERVERS COULD FULFIL ITS PURPOSE OF CONFIDENCE-BUILDING AND THAT THE OBSERVERS WOULD BE ADEQUATELY PROTECTED.

15. IT SHOULD, THEREFORE, BE EXAMINED WHETHER THE MOST SUITABLE SOLUTION OF THIS PROBLEM WOULD NOT BE TO APPLY THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS TO THE OBSERVERS AND TO HAVE THE LATTER REGISTERED IN THE DIPLOMATIC LIST FOR THIS PURPOSE. IN THIS CASE ARTICLE 7, SENTENCE 2 OF THE CONVENTION WOULD DIRECTLY APPLY TO MILITARY PERSONNEL IF THE OBSERVERS WERE REGISTERED AS MILITARY ATTACHES OR ASSISTANT MILITARY ATTACHES. MOREOVER, THE PROBLEM OF PRIVILEGES AND IMMUNITIES WOULD NOT HAVE TO BE SPECIALLY ARRANGED.

16. IF THE OBSERVERS WERE GRANTED SUCH RIGHTS THE INVITING STATE, AND, IF IT IS NOT IDENTICAL WITH THE STATE ON WHOSE

CONFIDENTIAL

PAGE 03 NATO 05193 02 OF 02 242034Z

TERRITORY THE MANOEUVRE TAKES PLACE, THE LATTER STATE IN ADDITION WOULD HAVE TO BE ALLOWED TO HAVE THE OBSERVERS ESCORTED BY OFFICERS OF CORRESPONDING RANK.

AT ITS MEETING ON 20 JULY 1974 THE SUB-COMMISSION 2 OF THE CCSE INFORMALLY ACCEPTED THE FOLLOWING TEXT ON THE EXCHANGE OF OBSERVERS:

"THE PARTICIPATING STATES (NATURE OF COMMITMENT) INVITE OTHER PARTICIPATING STATES, ON A BILATERAL AND VOLUNTARY BASIS, IN A SPIRIT OF RECIPROCITY AND GOOD WILL TOWARDS ALL PARTICIPATING STATES, TO SEND OBSERVERS TO ATTEND MILITARY MANOEUVERS.

THE INVITING STATE (NATURE OF COMMITMENT) DETERMINES IN EACH CASE THE NUMBER OF OBSERVERS, THE PROCEDURES AND CONDITIONS OF THEIR PARTICIPATION, AND GIVES OTHER INFORMATION WHICH IT MAY CONSIDER USEFUL. IT WILL PROVIDE APPROPRIATE FACILITIES AND HOSPITALITY.

THE INVITATION (NATURE OF COMMITMENT) GIVEN AS FAR AHEAD AS IS CONVENIENTLY POSSIBLE THROUGH USUAL DIPLOMATIC CHANNELS."

END TEXT RUMSFELD

CONFIDENTIAL

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 11 JUN 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 24 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974ATO05193
Document Source: ADS
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Film Number: n/a
From: NATO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740988/abbryxis.tel
Line Count: 244
Locator: TEXT ON-LINE
Office: n/a
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: (A) USNATO 4827 NOTAL, (B) USNATO 4931 NOTAL
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 21 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 MAR 2002 by elyme>; APPROVED <21 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CSCE: CONFIDENCE BUILDING MEASURES--EXCHANGE OF OBSERVERS TO MILITARY MAEUVERS
TAGS: PFOR, PARM
To: STATE
SECDEF INFO SALT TWO GENEVA
MBFR VIENNA
GENEVA
USNMR SHAPE
USCINCEUR
USLOSACLANT

USDOCOSOUTH
CINCLANT

Type: TE

Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005